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NOTE

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2441st MEETING

Held in New York on Tuesday, 24 May 1983, at 3.30 p.m.

President: Mr. M. KAMANDA wa KAMANDA (Zaire).

Present: The representatives of the following States: China, France, Guyana, Jordan, Malta, Netherlands, Nicaragua, Pakistan, Poland, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire, Zimbabwe.

Provisional agenda (S/Agenda/2441)

1. Adoption of the agenda

2. The situation in Namibia:
   Letter dated 12 May 1983 from the Permanent Representative of Mauritius to the United Nations addressed to the President of the Security Council (S/15760);
   Letter dated 13 May 1983 from the Permanent Representative of India to the United Nations addressed to the President of the Security Council (S/15761)

The meeting was called to order at 11.20 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Namibia:
Letter dated 12 May 1983 from the Permanent Representative of Mauritius to the United Nations addressed to the President of the Security Council (S/15760);
Letter dated 13 May 1983 from the Permanent Representative of India to the United Nations addressed to the President of the Security Council (S/15761)

1. The PRESIDENT (*interpretation from French*): In accordance with the decision taken at the 2439th meeting, I invite the representative of Mauritius to take a place at the Council table.

At the invitation of the President, Mr. Maudave (Mauritius) took a place at the Council table.

2. The PRESIDENT (*interpretation from French*): In accordance with the decision taken at the 2439th meeting, I invite the President of the United Nations Council for Namibia and the other members of the delegation of the Council to take places at the Security Council table.

At the invitation of the President, Mr. Lusaka (President of the United Nations Council for Namibia) and the other members of the delegation took places at the Council table.

3. The PRESIDENT (*interpretation from French*): In accordance with the decision taken at the 2439th meeting, I invite Mr. Nujoma, President of the South West Africa People's Organization (SWAPO), to take a place at the Council table.

At the invitation of the President, Mr. Nujoma took a place at the Council table.

4. The PRESIDENT (*interpretation from French*): In accordance with the decisions taken at the previous meetings [*2439th and 2440th meetings*] on this item, I invite the representatives of Afghanistan, Algeria, Angola, Australia, Bangladesh, Benin, Botswana, Canada, Cuba, Egypt, Ethiopia, the Gambia, the Federal Republic of Germany, Guinea, India, Indonesia, Jamaica, Kenya, Kuwait, Mali, Morocco, Mozambique, Nigeria, Panama, Romania, Senegal, Seychelles, Sierra Leone, South Africa, Sri Lanka, the Syrian Arab Republic, Tunisia, Turkey, Uganda, the United Republic of Tanzania, the Upper Volta, Yugoslavia and Zambia to take the places reserved for them at the side of the Council chamber.

At the invitation of the President, Mr. Zarif (Afghanistan), Mr. Hadj Azzout (Algeria), Mr. Jorge (Angola), Mr. Joseph (Australia), Mr. Wasiuddin (Bangladesh), Mr. Adjibade (Benin), Mr. Legwaila (Botswana), Mr. Pelletier (Canada), Mr. Malmierca (Cuba), Mr. Khalil (Egypt), Mr. Ibrahim (Ethiopia), Mr. Blain (Gambia), Mr. van Well (Federal Republic of Germany), Mr. Kaba (Guinea), Mr. Rao (India), Mr. Kusumaatmadja (Indonesia), Mr. Shearer (Jamaica), Mr. Wabuge (Kenya), Mr. Abulhassan (Kuwait), Mr. Traore (Mali), Mr. Mrani Zentar (Morocco), Mr. Lobo (Mozambique), Mr. Fafowora (Nigeria), Mr. Ozores Typaldos (Panama), Mr. Marinescu (Romania), Mr. Niasse (Senegal), Ms. Gonthier (Seychelles), Mr. Sallu (Sierra Leone), Mr. von Schirnding (South Africa), Mr. Fonseka (Sri Lanka), Mr. El-Fattal (Syrian Arab Republic), Mr. Slim (Tunisia), Mr. Kirca (Turkey), Mr. Otunnu (Uganda), Mr. Rupia (United Republic of Tanzania), Mr. Bassole (Upper Volta), Mr. Golob (Yugoslavia) and Mr. Goma (Zambia) took the places reserved for them at the side of the Council chamber.

5. The PRESIDENT (*interpretation from French*): I should like to inform the members of the Council that I have received letters from the representatives of Democratic

Yemen, Japan, the Libyan Arab Jamahiriya and Somalia in which they request to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite them to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Al-Ashtal (Democratic Yemen), Mr. Kuroda (Japan), Mr. Burwin (Libyan Arab Jamahiriya) and Mr. Adan (Somalia) took the places reserved for them at the side of the Council chamber.

6. The PRESIDENT (*interpretation from French*): The first speaker is Mr. Paulo T. Jorge, Minister for Foreign Affairs of Angola, whom I cordially welcome. I invite him to take a place at the Council table and make his statement.

7. Mr. JORGE (Angola) (*interpretation from French*): I should like to congratulate you most warmly, Sir, on your assumption of the presidency of the Council, which meets at a particularly serious moment in the history of the African continent.

8. We feel it is significant that these deliberations of the Council on an African problem should be presided over by an African, and we are happy that the task falls to the representative of Zaire. Your qualities and your personality assure us of the success of our discussions here.

9. It is 17 years since the General Assembly adopted the historic resolution 2145 (XXI) of 27 October 1966, whereby it decided to terminate South Africa's Mandate over Namibia and to assume direct responsibility for the Territory until its accession to independence and to set up an *Ad Hoc* Committee composed of 14 Member States to recommend practical means for the administration of the Territory, so as to enable its people to exercise the right of self-determination and to achieve independence.

10. It is 16 years since the General Assembly adopted resolution 2248 (S-V), of 19 May 1967, which established the United Nations Council for Namibia, with the necessary powers to administer the Territory until independence, to promulgate laws, decrees and administrative regulations, to take as an immediate task all the necessary measures, in consultation with the people of the Territory, for the establishment of a constituent assembly to draw up a constitution on the basis of which elections would be held for the establishment of a legislative assembly and a responsible government, and also to ensure the transfer of all powers to the people of the Territory upon the declaration of independence.

11. Two years ago, faced with the break-down of the preliminary talks in Geneva, full responsibility for which always lay with the racist and Fascist régime in Pretoria and with the United States, the Organization of African Unity (OAU) and the Movement of Non-Aligned Countries took the decision to call for an urgent meeting of the Security Council in order to impose comprehensive and mandatory economic sanctions against the South African régime so as to oblige it to put an end to its illegal occupation of Namibia. A veto was cast by three permanent members of the Council—who were also members of the contact group of five Western countries—and this prevented the adoption of the required resolutions and demonstrated their connivance with the Pretoria régime and, consequently, paralysed this body of the United Nations and seriously jeopardized its credibility.

12. Two months ago, the Seventh Conference of Heads of State or Government of the Non-Aligned Countries held at New Delhi:

> "expressed their deep concern that Namibia's independence continued to be obstructed by the intransigence and persistent refusal of the racist régime of South Africa to comply with the relevant United Nations resolutions and decisions on Namibia"

and

> "called upon the United Nations Security Council to meet, as soon as possible, in order to consider further action on the implementation of its plan for Namibia's independence thereby assuming its primary responsibility for implementation of Security Council resolution 435 (1978)." [*See S/15675 and Corr.1 and 2, annex, sect. I, paras. 48 and 49.*]

13. This explains the presence at the United Nations of many Ministers for Foreign Affairs, appointed by the Conference to participate in these meetings of the Council. It should be emphasized that, once again, these initiatives were taken neither by the contact group nor by the Council.

14. To appreciate the true scope of the responsibilities of the Council and also of the contact group, responsibilities which have never been fully shouldered, one need only recall a number of commitments entered into with respect to the situation in Namibia resulting from the illegal occupation of that Territory by South Africa.

15. On several occasions, the General Assembly and the Council have strongly condemned the persistent refusal by South Africa to comply with the resolutions and decisions of the United Nations, its continued illegal occupation of Namibia, its brutal repression of the Namibian people and its persistent violation of their human rights; reaffirmed the inalienable right of the Namibian people to self-determination, to freedom and national independence in a United Namibia, as well as the legitimacy of their struggle by all means at their disposal; reaffirmed that the illegal occupation of Namibia and the acts of aggression against independent African States launched from bases in Namibia are a serious threat to international peace and security; reaffirmed that the illegal occupation of Namibia is an act of aggression against the Namibian people and against the United Nations as the authority responsible for administering the Territory

until independence; recognized SWAPO and reaffirmed that it is the sole and authentic representative of the Namibian people; deeply deplored the policy of States that continue to maintain diplomatic, economic, consular and other relations with South Africa, as well as military or strategic collaboration, all of which has the effect of supporting or encouraging South Africa in its defiance of the United Nations; requested all Member States to cooperate fully with the United Nations Council for Namibia, the legal Administering Authority of the Territory until independence; demanded the immediate and unconditional withdrawal of all South African military and paramilitary forces; and so forth.

16. Despite the legality and legitimacy of all these United Nations resolutions, it is deeply regrettable to note that almost all of those provisions have remained a dead letter in that certain Powers have undertaken to hinder deliberately the implementation of those decisions. Each of us knows full well who have been and who still are responsible for such setbacks, suffering and frustration. In no case can the delaying or blocking of the solution to the question of Namibia be imputed to Angola.

17. In his excellent further report on the implementation of resolutions 435 (1978) and 439 (1978), the Secretary-General has given us, most lucidly and frankly, a very clear picture of the evolution of negotiations concerning the process of independence for Namibia. He has stated in his report that:

> "Unfortunately, moreover, the positive side of the balance sheet has been set back by the emergence of other issues which were neither raised nor envisaged at the time when resolution 435 (1978) was adopted or in the subsequent negotiations under United Nations auspices. These issues now apparently constitute the main reason for the delay in the implementation of the United Nations plan." [*S/15776, para. 19.*]

The report also emphasizes that:

> "It is evident that the delay in implementing resolution 435 (1978) is having a destructive impact not only on Namibia itself but also on the prospect of a peaceful and prosperous future for the region as a whole. The delay also has an adverse effect on international relations in a wider sphere, adding to the prevailing sense of frustration and mistrust, with all that that implies for peace and security in the region." [*Ibid., para. 16.*]

18. While it is true that, in the context of the implementation of the United Nations plan according to resolution 435 (1978), decisions remain to be taken as to whether the electoral system is to be based on proportional representation or single-member voting, and on the composition and deployment of the military component of the United Nations Transition Assistance Group (UNTAG) and on the date of the cease-fire between SWAPO and the Pretoria régime, it is equally true that the major obstacle would seem to lie in the fact that a single member of the contact group and of the Security Council, the United States, persists in trying to establish a linkage or a parallelism between the process of decolonization or independence for Namibia and the withdrawal of the Cuban internationalist forces from Angola.

19. We feel it is essential, therefore, that the Security Council take duly into consideration the following positions of principle.

20. First, the process of the decolonization or independence of Namibia is not a matter within the competence of the Government of Angola. It is a matter within the competence of the United Nations and it involves all Member States because Namibia is a Territory under the direct responsibility of the United Nations, which therefore implies that every State should shoulder its own responsibilities. Hence it is unjust that, owing to the selfish interests of some and the unjustified passivity or indifference of others, the Angolan people should be left almost alone to pay an extremely high price for its solidarity, which is reflected in the loss of more than 10,000 human lives, thousands of handicapped and maimed, hundreds of thousands of displaced persons, and $10 billion in material damage caused by the criminal acts of aggression perpetrated by the racist régime of Pretoria since 1975.

21. Secondly, the joint Angolan-Cuban statement of 4 February 1982 states formally and without any ambiguity the situation regarding the gradual withdrawal of the Cuban internationalist forces stationed on Angolan territory, as follows:

> "When the Angolan and Cuban Governments so agree, the withdrawal of the Cuban forces stationed in Angolan territory will be carried out by sovereign decision of the Government of the People's Republic of Angola, once there is no further possibility of aggression or armed invasion and, to this end, the Cuban Government reiterates that it will immediately respect any decision taken by the sovereign Government of the People's Republic of Angola concerning the withdrawal of these forces."

22. Thirdly, resolution 435 (1978) remains the sole valid basis for a negotiated solution to the question of Namibia. Thus, to claim a linkage or parallelism between the process of decolonization or independence for Namibia and the withdrawal of the Cuban internationalist forces from Angola is completely incompatible with the letter and spirit of resolution 435 (1978) and constitutes unacceptable interference in the internal affairs of Angola.

23. Fourthly, the legitimacy of the position of Angola and of the front-line States as a whole in rejecting most categorically this so-called linkage is endorsed by a similar position taken by the entire international community. The General Assembly, in its resolution 37/233 B of 20 December 1982, and the Seventh Conference of Heads of State or Government of Non-Aligned Countries at New Delhi have confirmed this quite clearly and firmly.

24. Five years have passed since the adoption of resolution 435 (1978). It is thus quite legitimate for the Council to be seized once again or to remain seized of the question of Namibia so as to find effective ways and means of ensuring the implementation of its resolutions 385 (1976), 435 (1978) and 439 (1978); this means that the Council would henceforth shoulder once again all the responsibilities incumbent upon it in seeking a negotiated solution to the question of Namibia.

25. In this context, it is essential that the powers of the Secretary-General and the United Nations Council for Namibia be duly strengthened so as to enable them to address themselves to ensuring the implementation of the aforementioned resolutions. But it is also essential that all the parties concerned or interested contribute, individually and collectively, to the commendable efforts that will continue to be made by the Secretary-General so that Namibia can swiftly accede to independence. Angola, for its part, undertakes to continue along this path.

26. Directly faced with threats, acts of aggression and armed invasion by the racist régime of Pretoria since 1975, Angola expects from the Council a decisive commitment to meet the requirements of the moment so as to ensure that the question of Namibia is finally settled.

27. We must recall, however, Council resolutions 428 (1978), 447 (1979), 454 (1979) and 475 (1980), concerning the many premeditated, persistent and continuing acts of armed invasion carried out by South Africa in flagrant violation of the airspace, national sovereignty and territorial integrity of Angola. In those resolutions, the Council, *inter alia*, strongly condemned South Africa's aggression against Angola; demanded that South Africa scrupulously respect the independence, sovereignty and territorial integrity of Angola; also demanded that South Africa cease immediately its provocative armed invasions against Angola; requested member States urgently to extend all necessary assistance to Angola and other front-line States; called for the payment by South Africa of full and adequate compensation to Angola for the damage to life and property resulting from these acts of aggression and decided to meet again in the event of further acts of violation of the sovereignty and territorial integrity of Angola by the South African racist régime, in order to consider the adoption of more effective measures in accordance with the appropriate provisions of the Charter of the United Nations, including Chapter VII thereof.

28. Nevertheless, further acts in violation of the sovereignty and territorial integrity of Angola continue to take place, to such an extent that a considerable part of the province of Cunene is and has been occupied by South African troops since August 1981.

29. What are the international community or the States members of the Council, in particular, waiting for before they adopt "more effective measures, in accordance with the appropriate provisions of the Charter, including Chapter VII thereof"? Are they waiting for an act of genocide like the one that occurred in Lebanon? What further deliberate acts of violation or armed aggression must take place, how many more human lives must be lost, what further material damage—already reaching enormous and tragic proportions—must be done for the competent international bodies finally to shoulder their responsibilities?

30. Statements by the speakers who have preceded me convince us that, at last, a genuine common political will to reach a peaceful settlement of the question of Namibia is emerging and that the disturbing powerlessness of the international community is giving way to a new determination on the part of the Council to take the measures needed to ensure the restoration of peace in southern Africa, in accordance with the mandate entrusted to the Council by the Charter.

31. It is incumbent on the Council to find ways and means of ensuring respect not only for the provisions of the Charter but also, with the same objective, for the decisions taken by all the organs of the United Nations which, as a whole and through the unanimous votes of their members, have for 20 years been calling upon South Africa to withdraw from Namibia and to cease to be a constant threat to international peace and security and to ignore arrogantly the principles upon which the Organization is founded and which we all wish to uphold and maintain.

32. South Africa's despicable aggression against Mozambique, carried out by racist troops at the very moment the Council was convening its 2439th meeting to try to settle the question of Namibian independence, seems unfortunately to be proof that the Pretoria régime is not in any way prepared to abide by the wishes of the international community and to respect the sovereignty of States in the southern part of the continent of Africa but, on the contrary, has decided to persist in its bloodthirsty and inhuman policy of terror.

33. We wish to express our absolute outrage at this challenge to the international community by South Africa. We trust that the Council will join its voice to that of Angola in strongly condemning South Africa for this new act of aggression and reaffirming the Council's solidarity with Mozambique in its time of trial.

34. This is no time for futile resolutions or ambiguous condemnations that leave South Africa free to pursue its efforts to destabilize the countries of southern Africa and to plunder and subjugate Namibia, thereby undermining faith in and respect for the United Nations.

35. It is imperative that, together, we make every effort to ensure that an independent and sovereign Namibia rejoins the community of nations.

36. The struggle continues; victory is certain!

37. The PRESIDENT (*interpretation from French*): The next speaker is Mr. Hugh L. Shearer, the Minister for Foreign Affairs of Jamaica. I invite him to take a place at the Council table and to make his statement.

38. Mr. SHEARER (Jamaica): Allow me, on behalf of my delegation, to join other representatives in extending to you, Sir, our congratulations on your assumption of the presidency of the Council for this month. I have every confidence in your able leadership as you preside over these very important meetings.

39. The question of Namibia, first brought before the United Nations in 1946, continues to be a burning issue on the agenda of this world body. It is a colonial situation that persists in South Africa to this day, despite the fact that some 17 years have elapsed since the General Assembly, in its resolution 2145 (XXI) of 27 October 1966, terminated South Africa's Mandate over Namibia. By that action the United Nations assumed responsibility for Namibia, and since then it has sought to exercise its authority through the United Nations Council for Namibia, which was established by resolution 2248 (S-V) of 19 May 1967.

40. Over the past 17 years, South Africa has been allowed to continue to frustrate the legitimate aspirations of the people of Namibia to self-determination and independence, in defiance of the will of the international community and with contemptuous disregard of all the resolutions of the United Nations and of the 1971 opinion by the International Court of Justice that South Africa had no legal right to Namibia.[1]

41. It is against the background of South Africa's continued refusal to comply with the United Nations resolutions on Namibia, especially Security Council resolution 435 (1978), and of the brutal oppression of the Namibian people that the current series of meetings was convened. Innumerable conferences, debates and consultations have been held in the past in an effort to free the Namibians from the dehumanizing and degrading policy of *apartheid* and to allow them to achieve the full exercise of their inalienable rights. These have not produced satisfactory results.

42. The Council, at this series of meetings in particular, must address itself to the task of effectively bringing pressure to bear on the intransigent Pretoria régime to comply with resolution 435 (1978).

43. It was by resolution 435 (1978) that the Security Council approved a proposal [*S/12636*] designed to achieve a peaceful, negotiated, political settlement that could lead Namibia to self-determination and independence. The fact that, in the intervening years, this proposal has gained universal acceptance is testimony to its continuing relevance and viability. The cardinal elements of the proposal were the signing of a cease-fire agreement, the establishment of a demilitarized zone, the deployment of UNTAG, the holding of free and fair elections under the supervision and control of the United Nations and the rejection of any internal settlement that would foist South Africa's hand-picked puppets on the Namibian people. This proposal has not yet been implemented.

44. The Secretary-General's report [*S/15776*] is before the Council. It provides not only a timely, objective and factual summary of developments concerning the attempts of the Secretary-General to implement resolutions 435 (1978) and 439 (1978) but also an ominous reminder of the perils that will confront southern Africa and the international community if the legitimate aspirations of the Namibian people are further delayed.

45. By General Assembly resolution 2145 (XXI) of 27 October 1966, the United Nations assumed responsibility for the welfare of Namibia and its people. This responsibility cannot be considered fully discharged until the Namibian people are free from colonial rule and are provided with an opportunity for the free and unfettered exercise of their inalienable right to self-determination and independence.

46. There have been times when it was felt that Namibia was on the verge of achieving its independence. The elation and hope of these moments have always been dissipated by one or other of South Africa's delaying tactics.

47. The contact group had, until recently, made some progress towards a solution of the Namibian issue. They had put forward proposals which had been accepted by SWAPO and the front-line States. One member of the group has, however, introduced the concept of linkage into the debate on Namibia's independence. The Government of Jamaica joins the front-line States, SWAPO and the rest of the international community in outright rejection of the linking of Namibia's independence with the withdrawal of troops from Angola. As I stated in my address to the General Assembly at its thirty-seventh session, the two are separate issues and must be dealt with separately.[2]

48. The Non-Aligned Movement has constantly rejected linkage, most recently at the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi from 7 to 11 March 1983. The final document states:

> "The Conference expressed its deep concern that the Western contact group was unable to detach and dissociate itself from the extraneous issue of linkage between Namibia's independence and the withdrawal of Cuban forces from Angola insisted upon by one of its members. The Conference stressed that the linkage, which was totally incompatible with the letter and spirit of Security Council resolution 435 (1978), constituted an impediment to the implementation of the United Nations plan for the independence of Namibia." [*See S/15675 and Corr.1 and 2, annex, sect. I, para. 47.*]

49. Since the introduction of the concept of linkage and the philosophy of constructive engagement with South Africa, the prospect of a solution to the Namibian issue has receded. There is also growing concern within the international community that the contact group has not succeeded in securing South Africa's compliance with resolution 435 (1978) and has therefore outlived its usefulness.

50. My Government is not at all convinced that the contact group has in fact been able to achieve the substantial progress which it claims has been made since the last Council debate on Namibia, in 1981 [*2267th to 2277th meetings*]. It is also our firm belief that the persistent failure of some of its members to observe scrupulously the ban imposed by the United Nations on military sales to South Africa has only served to strengthen the hand of the racist Pretoria régime in its stubborn policies of defiance and intransigence.

51. The need for urgent settlement of the Namibian issue is further reinforced by recent troubling events in Namibia. In January of this year, South Africa, again in defiance of the United Nations and while in discussion with the contact group, took direct control of Namibia after the resignation of the Chairman of the Council of Ministers. We are deeply concerned that this move will only serve to further entrench South Africa in Namibia, resulting in the annexation of Namibia to South African territory.

52. Meanwhile the resources of Namibia are being ruthlessly exploited by South Africa, not for the benefit of the Namibian people but for the benefit of South Africa and some Western countries. One mine alone, the Rössing mine, from which South Africa draws some $500 million per year, produces 10 per cent of the total amount of uranium consumed by the Western industrialized countries. South Africa is able to control the major part of the world's uranium resources and of production available for export. Nearly all of Namibia's diamond, zinc, tin, lead, vanadium and tungsten production is sent to South Africa for processing, use and sale, from which it makes millions of dollars in profit. In this exploitation by the mining companies in Namibia, African workers receive only about 5 or 6 per cent of the wages paid to the whites. The ratio of *per capita* income of a Namibian African worker to that of a white worker in Namibia is 1 to 24.

53. In parallel with this ruthless exploitation, the racist Pretoria régime continues to perpetrate the most outrageous aggression against the neighbouring front-line States. The continued occupation of Angolan territory, the arrogant and brutal attack on the capital of Lesotho last December and the bombing of Mozambique cities by the South African Air Force in the last few days are but examples of a massive and deliberate campaign of terror being waged by South Africa against its neighbours. The death, destruction and distress that have resulted and the escalation in political tension that is being produced can no longer be ignored by the international community.

54. In view of this situation, it now becomes incumbent on the Council to find other means of bringing South Africa to heel, particularly in view of the fact that Namibia remains the direct responsibility of the United Nations until self-determination and national independence are achieved in the Territory.

55. The unavoidable question to which the Council must find a credible response is: What more must now be done, and how can it be achieved, to compel South Africa to co-operate fully in the implementation of the United Nations plan for the settlement of the Namibian question?

56. I must here emphasize the fundamental role and responsibility of the permanent members of the Council to bring the requisite pressure to bear in order to compel South Africa to live up to its international obligations.

57. We must not forget that the Council, in addition to its responsibility to Namibia, also has a duty to maintain peace and security in southern Africa, where the front-line States have been victims of South Africa's unprovoked acts of aggression.

58. Therefore I wish to propose that, arising out of this current debate: first, the Security Council must reassert its responsibility for the implementation of resolution 435 (1978); secondly, the Council must fix a time-frame for implementation of the various stages implicit in resolution 435 (1978); thirdly, the Council must take steps to ensure that South Africa does not introduce institutional measures in Namibia which would constitute a hindrance to the Security Council's mandate; and, fourthly, the Council, in fulfilling its task, must give emphasis to the role of the Secretary-General as envisaged in resolution 435 (1978).

59. The issue before the Council today involves the question of the credibility of the United Nations. Namibia is the only case in which the United Nations has assumed responsibility for a territory in order to bring about the independence of its people. Yet the United Nations has allowed its authority to be flouted by a régime, based on the vicious principles of *apartheid*, which has usurped the Territory and its people.

60. The Council must be aware that the alternative to its taking action now is more bloody and destructive activity in all of southern Africa. Can the Council resign itself to that? On few other occasions have the issues been so clear and the moral rights so unassailable. There can be no excuse for inaction now.

61. The PRESIDENT (*interpretation from French*): The next speaker is the representative of the Libyan Arab Jamahiriya, whom I invite to take a place at the Council table and to make a statement.

62. Mr. BURWIN (Libyan Arab Jamahiriya) (*interpretation from Arabic*): My delegation previously expressed its congratulations to Mr. Umba di Lutete on his assumption of the presidency for this month. Today I wish to convey my delegation's congratulations to you personally, Mr. President. I am happy to see another true son of Africa presiding over the Council today, especially at a time like this when the Council is dealing with one of the major problems confronting our African continent.

63. Once again the Council is resuming consideration of the question of Namibia, a question that has been considered by the Council at scores of meetings and has been debated by the General Assembly at all its regular

sessions since 1946 and at two special sessions and one emergency special session. Hundreds of resolutions on it have been adopted in the two forums. The question is well known in all its details. I shall not, therefore, go into details now and shall confine myself to certain observations on the present situation in Namibia and to the reasons why the attainment of its independence has so far been obstructed.

64. More than 16 years have elapsed since the adoption of General Assembly resolution 2145 (XXI), which terminated South Africa's Mandate over Namibia. The Security Council endorsed that in its resolution 264 (1969), in which it recognized the termination of the Mandate and called upon the Pretoria régime to withdraw immediately its administration from the Territory. However, the racist régime disregarded the Assembly resolution, did not respond to that of the Council and persisted in flouting the will of the international community.

65. More than four years ago, the Security Council adopted its resolution 435 (1978), which endorses the United Nations plan for the independence of Namibia. At the time, the majority of the world's countries believed that this augured well for the early accession to independence of Namibia, because the United Nations plan was the work of the Western contact group, made up of five major Powers with strong and close relations with the racist régime in South Africa, and it was felt that the group could therefore bring pressure to bear on South Africa to comply with the will of the international community. My country was not among those optimists, because it realized that those States—or some of them—were the allies of the racist régime, seeing it as the protector of their economic and strategic interests in southern Africa. Over the past four years it has become crystal-clear that those optimists were very much mistaken, and the validity of the Libyan Arab Jamahiriya's doubts has been proved. We see the Namibian people still suffering under the yoke of colonialism and the policy of *apartheid*, and denied its right of self-determination.

66. The majority of the countries of the world have understood for many years the racist régime's aims in southern Africa and the purpose of the prevarication and delaying tactics it employs in order to prolong its occupation of Namibia and impose a puppet régime on the Namibian people. But some Western States, foremost among them the United States of America, do not care to recognize these facts. They have turned a deaf ear to the voice of reason and have opposed the adoption by the Council of any measures in accordance with the provisions of Chapter VII of the Charter to compel the racist régime to comply with United Nations resolutions and to withdraw from Namibia. All members of the Council will doubtless recall the result of the last series of meetings held on the question of Namibia, in April 1981 [*ibid.*], when three States Members belonging to the Western contact group had recourse to the veto against the draft resolutions before the Council.

67. It would seem that certain major Western countries, first among them the United States, are not really serious in their commitment to help the United Nations find a solution to the Namibian question. So far, they have exerted no pressure worth mentioning on South Africa, and that leads us to believe that their main concern is their own interests and the enormous profits they reap through their corporations from operations in Namibia and South Africa. It is unfortunate that those countries continue to encourage their corporations to invest in Namibia and South Africa in spite of the numerous United Nations resolutions calling upon States not to deal with the *apartheid* régime.

68. The report of the United Nations Council for Namibia[3] notes the presence of 236 companies of Western States and Israel with subsidiaries operating in Namibia. Among them, 190 are based in the States of the Western contact group. These companies directly support the racist régime in South Africa, and this has enabled it to strengthen its domination of Namibia and to persist in its policy of racial segregation in southern Africa. Their activities are in direct contravention of Decree No. 1 for the Protection of the Natural Resources of Namibia, enacted by the United Nations Council for Namibia,[4] and are seriously depleting the resources of Namibia.

69. The racist régime receives financial support from Western financial institutions and banks. Loans to the *apartheid* régime between 1979 and mid-1982 amounted to $2.7 billion. That sum covers South Africa's military expenses in Namibia.

70. In the military field, despite the long time that has passed since the adoption of Council resolution 418 (1977) imposing the arms embargo against South Africa, the embargo is not being strictly observed, and the racist régime has been able to receive huge quantities of arms through the collusion of the Zionist entity and certain Western Powers. With the help of certain of those States in the field of military technology, the racist régime has been able to develop its military industry and has achieved near self-sufficiency in most kinds of military equipment. It is thus able to increase its military power, maintain its occupation of Namibia and intensify its barbaric acts of aggression against neighbouring States, violating their sovereignty and destabilizing them. The latest example of this is the act of aggression against Mozambique on 23 May—an act which the Libyan Arab Jamahiriya condemns.

71. Well-founded reports indicate that South Africa maintains over 100,000 soldiers in Namibia. The report of the United Nations Council for Namibia states that

> "an estimated 2,000 to 3,000 mercenaries, mainly from the United States, the Federal Republic of Germany, the United Kingdom of Great Britain and Northern Ireland, France, Australia, Chile and Israel, are reported to be fighting alongside the South Africa forces in the campaign to crush the Namibian liberation struggle".[5]

72. The racist régime of South Africa has consolidated its occupation of Namibia thanks to the absolute support it receives from certain Western countries that see it as guarding their interests in southern Africa and thanks to the support it receives from another racist régime: the Zionist entity in occupied Palestine. The similarities between the two régimes and their aggressive nature are obvious to all. The racist régime of South Africa denies the black majority its fundamental rights and denies the Namibian people their right to self-determination and independence while the racist Zionist régime denies the Palestinian people their right to self-determination and to establish an independent State of their own. The racist régime occupies Namibia and a portion of Angolan territory, while the racist Zionist entity occupies part of the Arab countries. The racist régime in South Africa has linked its withdrawal from Namibia to the withdrawal of Cuban troops from Angola: these are legitimate forces whose presence is the sole concern of the Governments of Cuba and Angola. The racist Zionist entity has linked its withdrawal from Lebanon to the withdrawal of the Arab forces which are now legitimately present there: their presence is the sole concern of the Government of Lebanon and the other Arab parties concerned. Both régimes have committed repeated acts of aggression against neighbouring countries on the pretext of pursuing members of liberation movements, whom they wrongly call "terrorists".

73. The attempt to link the independence of Namibia to the withdrawal of Cuban troops from Angola is nothing but a delaying tactic worked out by South Africa in collaboration with the United States Administration. Its purpose is to delay the implementation of the United Nations plan for the independence of Namibia, deplete the region's resources to the greatest extent possible, and give the racist régime more time to create puppets to which it can hand over the government of the country. That manoeuvre has been condemned in many international forums, most recently at the Seventh Conference of Heads of State or Government of Non-Aligned Countries, at New Delhi.

74. The crisis in Namibia worsens daily. The acts of oppression, suppression, detention and assassination have become daily practices of the racist régime against the black citizens of Namibia. That régime is also stepping up its evil manoeuvres within Namibia in a desperate attempt to oust SWAPO, the sole legitimate representative of the Namibian people. It pursues the members of SWAPO with increasing determination in its desperate efforts to establish a puppet government in the Territory.

75. The situation in southern Africa constitutes a serious threat to international peace and security through the deteriorating situation in Namibia. The international community must redouble its efforts to bring Namibia to independence, in accordance with the resolutions of the United Nations, especially Security Council resolution 435 (1978). My country believes that independence for Namibia can be achieved only by the following means: first, complete and unlimited support by all States for the praiseworthy efforts of the Secretary-General to ensure implementation of the United Nations plan; secondly, reaffirmation of the fact that the two parties to the conflict are SWAPO, the sole legitimate representative of the Namibian people struggling for the independence of the Territory, and the racist Pretoria régime, which is occupying the Territory illegally; thirdly, support for the armed struggle of SWAPO in order to step up pressure on the racist régime and make it comply with the will of the international community and withdraw from Namibia; fourthly, the formulation of a specific time-table for the strict and immediate implementation of resolution 435 (1978), without any modification and in such a way as to guarantee the complete independence of Namibia and the sovereignty of the Namibian people, under SWAPO, over all its Territory, including Walvis Bay and all the offshore islands; and fifthly, the imposition of mandatory sanctions, in accordance with Chapter VII of the Charter, thus compelling the racist régime to withdraw its administration from Namibia.

76. My delegation sincerely hopes that the efforts of the Council will be crowned with success and that the Namibian people will be able to exercise their right to self-determination and independence. My delegation wishes to utter a warning against the manoeuvres to which South Africa and its allies have recourse while claiming to seek a peaceful solution. The purpose of those manoeuvres is to bypass the true liberation movement, SWAPO, and impose a suspect solution whose ultimate result would be a puppet régime that would support the interests of the imperialist States and do their bidding.

77. In conclusion, I should like to confirm the unlimited support of the Socialist People's Libyan Arab Jamahiriya for the Namibian people, led by SWAPO, in their just struggle for self-determination and independence. We shall continue to give all possible material and moral assistance to those heroic people and to the people of South Africa until they achieve independence and the complete elimination of racism in southern Africa. We also confirm our solidarity with the front-line States in the face of the numerous acts of aggression against them committed by the racist régime. We condemn those acts as well as South Africa's continued occupation of Namibia and part of the territory of Angola.

78. Finally, I should like to express my delegation's great appreciation and gratitude for the efforts of the United Nations Council for Namibia, led by Mr. Paul Lusaka of Zambia, and of the Secretary-General, to ensure the early accession to independence of Namibia.

79. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Algeria. I invite him to take a place at the Council table and to make his statement.

80. Mr. HADJ AZZOUT (Algeria) (*interpretation from French*): I should like first of all to convey to you, Sir, the congratulations of the Algerian delegation on your assumption of the presidency of the Council for this month. Your knowledge of international affairs and your

experience ensure that the Council will have wise guidance in its consideration of the serious issue before it today. I should also like to congratulate your predecessor, Mrs. Jeane Kirkpatrick, on having guided the deliberations of the Council last month.

81. It is almost five years now since the Council adopted resolution 435 (1978), whereby it warned the Pretoria régime that, if it did not co-operate in the implementation of resolutions 385 (1976), 431 (1978) and 435 (1978), the Council would be compelled

> "to meet forthwith to initiate appropriate actions under the Charter of the United Nations, including Chapter VII thereof, so as to ensure South Africa's compliance with the aforementioned resolutions".

82. That commitment having been formally entered into, Africa and the non-aligned countries, faced with the continued illegal occupation of Namibia and the stepping-up of the aggressive policy of South Africa, decided, as early as April 1981, to request a meeting of the Council [*S/14434*] to enable it to fulfil its primary responsibility for the maintenance of international peace and security and to ensure respect for its own decisions. However, that opportunity could not be seized owing to the veto of three permanent members of the Council, those very countries which had given an undertaking to the international community that they would help to bring about the speedy implementation of the process of decolonization in Namibia.

83. By preventing the United Nations from adopting the only measures that could put an end to South Africa's defiance, those vetoes in the Council helped delay the implementation of the settlement plan and prolong the suffering of the Namibian people. Today, two years later, the situation has not changed. The process of implementing the decolonization of Namibia remains in the impasse into which South Africa and some of its allies wished to lead the efforts of the United Nations. Namibia is still illegally occupied, its people ruthlessly oppressed, persecuted and tortured and its natural resources plundered. Its territory is now being used for the launching of large-scale aggression against neighbouring countries.

84. Drawing the political lessons from this deadlock and its dangers not only for stability and security throughout the southern part of Africa but also for world peace, the non-aligned countries decided to renew their appeal to the Council to avoid the irrevocable. The Heads of State and Government of the non-aligned countries, at their conference at New Delhi from 7 to 11 March 1983, while reiterating their firm support for the struggle waged by the Namibian people under their sole legitimate representative, SWAPO, decided to call upon the Council to meet to

> "consider further action on the implementation of its plan for Namibia's independence thereby assuming its primary responsibility for implementation of Security Council resolution 435 (1978)". [*See S/15675 and Corr.1 and 2, annex, sect. I, para. 49.*]

85. The presence here of many Ministers of Foreign Affairs attests to the resolve of the non-aligned countries to find a genuine political solution, in the hope that the Council will take the measures dictated by the extreme gravity of the situation.

86. In a similar spirit, the International Conference in Support of the Struggle of the Namibian People for Independence, held in Paris from 25-29 April 1983, with the participation of all Member States of the United Nations, endorsed that approach in its turn.[6]

87. We venture to believe that these appeals, which reflect not only deep anxiety and concern over the many consequences of the deadlock but also the desire to ensure international peace and security, will finally be heeded by the Council.

88. These appeals are all the more imperative in that only yesterday Mozambique, a sovereign country, a member of the OAU and of the United Nations, was the object of aggression by the racist régime of South Africa. That was not, unfortunately, the first time—and it certainly will not be the last—that that racist régime, thanks to the multilateral support it constantly receives from certain Western countries, has committed such acts, thus outrageously violating the sovereignty and territorial integrity of African States in the region.

89. The question of Namibia is too well known to the Council to need a long exposition. It is, incontestably, one of decolonization, for the facts of the matter are crystal clear.

90. Need I recall that, in 1966, the United Nations entered into a commitment to shoulder direct responsibility for the Territory of Namibia and to bring to completion the process of liberation for that country? Since then, an international consensus has emerged, confirming the illegality of South Africa's occupation of the Territory, the absolute right of the Namibian people to independence, the legitimacy of their national liberation struggle, strict respect for the territorial integrity of their country, and the position of SWAPO as their sole legitimate representative.

91. Everything seemed to indicate, therefore, that this problem of a people deprived of its right to self-determination and independence, a people subjected to occupation of its territory, was, thanks to the United Nations, going to be solved in favour of genuine independence for the Territory. But despite that consensus of the international community, backed up by the advisory opinion of the International Court of Justice of 21 June 1971,[1] which declared South Africa's presence in Namibia illegal, the Pretoria régime has continued to mobilize its political and military machinery in order to apply a neo-colonial solution to Namibia.

92. Need I recall the exclusive responsibility of South Africa in the failure of all the initiatives to secure implementation of the United Nations plan in accordance with

Council resolutions 385 (1976), 435 (1978) and 439 (1978)? Those resolutions, reflecting the international consensus and expressing the common will to bring about the swift decolonization of Namibia, set forth the terms and conditions necessary to establish and strengthen the process that would lead to that decolonization.

93. By the same token, need I recall that South Africa's responsibility for the failure of those initiatives, like its continuing illegal occupation of Namibia, its successive attempts to pervert the process of decolonization of the Territory and its repeated acts of aggression against the sovereign States in the region should have led the Council to take stronger action to fulfil its primary mission—that of guarantor for international peace and security? Indeed, we expected such action all the more, since, as early as 1963, the Council had described South Africa's actions as seriously disturbing international peace and security.

94. One could go on endlessly about other decisions taken but never implemented, deadlines set but never respected, promises made but always broken, sanctions called for but never applied.

95. The impasse in which this question of Namibia is now and the attempts to divert the decolonization process from the normal course as prescribed by the United Nations, are matters of serious concern to the countries of Africa, whose energies are directed towards completing the liberation of the continent.

96. The situation is all the more serious in that South Africa is sustained in its defiance by the support of certain Powers with which it has secure and privileged relationships.

97. While this attitude on the part of South Africa was foreseeable, it being part of the logic of the *apartheid* system, we nevertheless expected those who had initiated the proposal for a settlement of the Namibian question to exert the necessary pressure on the Pretoria régime to ensure implementation of the plan. The contact group, which carried out the pre-implementation talks and took action to ensure that SWAPO and the front-line States would be present at the talks, should have shown a little more determination to ensure that right would prevail. This lack of political will reflected a traditional position taken by some countries whose primary concern is to preserve their strategic and economic interests.

98. The Council, which endorsed the initiative of the five Western Powers, hoping to arrive at a peaceful settlement of the question of Namibia, can see today, five years later, just how unwilling some of those Powers were to live up to the commitment they had entered into. Moreover, the unjustified linkage of the withdrawal of Cuban troops from Angola and independence for Namibia strengthens the temptation for the Pretoria régime to apply its own internal solution in Namibia.

99. This linkage, which is contrary to the spirit and the letter of the settlement plan, formulated in this crucial phase of the decolonization of Namibia, further hinders a process which has already taken far too long and also diverts it from its normal course. To try to link a sovereign decision by a State to a genuine problem of decolonization on which there is international unanimity is seriously to jeopardize the efforts that the community of nations has made, with so much patience and perseverance, to achieve a just and peaceful settlement of the problem of Namibia. That is why Africa, first of all, then the General Assembly, in its resolution 37/233 B, adopted at the thirty-seventh session and, recently, the Seventh Conference of Heads of State or Government of Non-Aligned Countries and the International Conference in Support of the Struggle of the Namibian People for Independence firmly rejected any such linkage.

100. In this decisive phase of the settlement of the Namibian question we must strongly reaffirm the full and entire responsibility of the United Nations for the process of Namibia's accession to independence, with strict respect for the provisions of resolution 435 (1978).

101. Because it has the responsibility for the decolonization of Namibia, because it is the guarantor for the maintenance of international peace and security, the Council must respond fully to the obligations incumbent upon it and take the necessary measures under Chapter VII of the Charter of the United Nations.

102. Faced with the prevarications of South Africa and the intensification of its policy of oppression and aggression, the Council must translate into action its will to ensure respect for its own decisions, for the Pretoria régime will never accord justice to the Namibian people or submit to international legality unless forced to do so. Experience has abundantly demonstrated this truth, whose consideration we have postponed for too long.

103. The application of comprehensive and mandatory sanctions against the South African régime is now essential. The Council must take an unequivocal position on the complete implementation of its resolution 435 (1978) so as to enable the Secretary-General to play his full part as the person primarily responsible for the implementation of the settlement plan decided upon by the Organization.

104. In this connection, the Algerian delegation would like to emphasize that it endorses the conclusions of the Secretary-General as contained in his report [*S/15776*].

105. Lastly, certain members of the contact group must stop looking at the question of Namibia in an East-West context and from the viewpoint of geostrategic power. If they abandoned this approach, which only diverts the decolonization process in Namibia from its natural course, the contact group would be moving with the tide of history, that is, of decolonization.

106. The question of Namibia has been clearly established by the international community as one of decolonization, and Namibia must achieve independence

through the implementation in good faith of the settlement plan drawn up in detail by the Organization.

107. We should like to believe that, at these meetings, the Security Council will prove equal to its primary task and respond to the desire of the international community for international peace and security.

108. The PRESIDENT (*interpretation from French*): The next speaker is the representative of the Gambia. I invite him to take a place at the Council table and to make his statement.

109. Mr. BLAIN (Gambia): My delegation is grateful for this opportunity to participate in the work of the Council. Permit me at the outset, Sir, to congratulate you on your assumption of the presidency for the month of May. It is a source of immense satisfaction for my delegation to see the affairs of this body entrusted to a diplomat of your proven qualities, representing as you do a sister African republic which has established a reputation as a staunch supporter of the purposes and principles of the United Nations and with which my Government enjoys the most cordial relations.

110. After 100 uninterrupted years of colonial domination and foreign occupation, the Namibian people continue to be denied their inalienable right to self-determination. At this nadir in the history of Namibia, even the most optimistic can discern few, if any, signs which presage an end to this long tragedy.

111. Yet, it is not for want of effort on the part of the international community that this situation persists. The successive resolutions adopted by the General Assembly since 1966 and by the Security Council since 1969 bear testimony to the patient efforts which have been made to terminate, by peaceful negotiation, South Africa's illegal occupation of Namibia. Regrettably, these diplomatic initiatives have hitherto failed to achieve a settlement. At the same time, the situation in and around Namibia has continued to register a steady deterioration and has now assumed critical proportions, with dire implications for international peace and security.

112. It was in response to this crisis that the Seventh Conference of Heads of State or Government of Non-Aligned Countries decided at New Delhi last March to request the present series of meetings of the Council with a view to generating fresh momentum for the stalled negotiations on the implementation of the plan for Namibia's independence.

113. Following the revocation of Pretoria's Mandate by the General Assembly in 1966 and the creation in the following year of the United Nations Council for Namibia as the sole legal Administering Authority of that Territory, the illegality of South Africa's continued occupation was definitely established by the International Court of Justice in 1971 in a ruling endorsed by the Council in resolution 301 (1971). Over the next few years a series of diplomatic initiatives was launched under the aegis of the Council in order to permit the free exercise by the Namibian people of their right to self-determination. These efforts, however, were frustrated at every turn by the duplicity of an intransigent Pretoria, which proceeded for its own part to consolidate its illegal occupation of the Territory. These actions were unequivocally condemned by the Council in resolution 385 (1976).

114. In 1978, the expectations of the world community were raised by the endorsement of the United Nations plan for Namibia in resolution 435 (1978). It should be recalled, however, that, from the African point of view, the plan was far from perfect, failing as it did to accommodate a number of major concerns, including, *inter alia*, the principle that Walvis Bay and its offshore islands constituted an integral part of Namibia's territory. Yet SWAPO, prompted by its genuine desire for a peaceful settlement, accepted the plan in a historic compromise.

115. My delegation wishes at this juncture to pay a tribute to the statesmanship shown by SWAPO, the sole and authentic representative of the Namibian people.

116. For the overwhelming majority of the international community, the distinguished parentage of the United Nations plan and its formal acceptance by the occupying Power, South Africa, portended an early and peaceful transition to independence in Namibia. However, these legitimate expectations were immediately demolished by the treachery of the racist régime, which proceeded to organize sham elections aimed at a so-called internal settlement. Any vestige of credibility which Pretoria may have continued to enjoy in certain quarters disappeared in January 1981, when, to the disappointment of the contact group, it deliberately sabotaged the pre-implementation meeting convened in Geneva to establish practical modalities for implementing resolution 435 (1978).

117. In April 1981, the Security Council met at the request of the Group of African States [*S/14434*] to consider the implication of South Africa's continued disregard of both the resolutions of this prestigious body and the precepts of international law. At that time, the Council was prevented from applying the appropriate measures under Chapter VII of the Charter of the United Nations because it was felt that the policy of constructive engagement offered meaningful prospects of a settlement.

118. Hitherto this approach has produced results of doubtful value. Far from prompting South Africa to respect its obligations under the relevant United Nations resolutions, the policy of constructive engagement has resulted in the totally unacceptable linkage of Namibia's independence with the extraneous issue of the Cuban presence in Angola. Disavowed by the overwhelming majority of the international community and rejected by the recent International Conference in Support of the Struggle of the Namibian People for Independence, this element has no place under resolution 435 (1978), which

forms the sole basis for the transition to independence of Namibia.

119. South Africa meanwhile has embarked on further serious breaches of international peace and security. It is perhaps unnecessary to recall that the Council is already seized of two major acts of aggression perpetrated by the racist régime: the mercenary invasion of Seychelles in December 1981 and the attack on Maseru in February 1983.

120. At the same time, South Africa continues illegally to occupy areas of Angola, a sovereign State, while maintaining an intense campaign of destabilization against Mozambique, Botswana, Zambia and Zimbabwe. Less than 48 hours ago, as if to underscore Pretoria's utter disregard of the rules of international law, the racist régime launched a massive and unprovoked air strike against the capital of Mozambique.

121. The Gambia unequivocally condemns these repeated criminal acts of aggression. It seems appropriate to recall at this juncture that the Charter prescribes specific measures to be applied in such circumstances.

122. As Namibia enters its hundredth year of subjection to foreign occupation, it is perhaps timely to review briefly the long ordeal endured by the people of that country. The fate of Namibia can be said to have been sealed at the Berlin Conference of 1884. For the next 30 years, that is, until the outbreak of the First World War, the Territory was subjected to a systematic campaign of genocide in which one third of the indigenous population was decimated. History records that it was during that sombre period that the world's first extermination camps were established and operated—in Namibia.

123. In 1919, following the cessation of hostilities, South Africa assumed responsibility for the Territory under a Mandate conferred by the newly established League of Nations. Despite the principle in article 22 (1) of the Covenant of the League of Nations "that the well-being and development of [the peoples of Mandated Territories] form a sacred trust", South Africa immediately imposed its heinous system of discriminatory laws and practices upon the Territory.

124. Even after the establishment of the United Nations, in the aftermath of the Second World War, the Namibian ordeal continued—for the Pretoria régime, refusing to yield the Territory to the Organization's trusteeship system, maintained and indeed intensified its ruthless exploitation of Namibia's human and material resources. Pass laws, the Masters and Servants Proclamation and the fragmentation of their homeland into bantustans have continued to define the inhuman existence imposed upon the Namibian people.

125. In addition to the weighty legal arguments already adduced, there are thus pressing moral and humanitarian imperatives for the adoption of effective measures to put an end to the long ordeal of Namibia. The Gambia considers that the framework for such a settlement already exists in resolution 435 (1978) and that what is needed at this juncture is the political will to implement fully the provisions of that resolution.

126. On 27 July 1978—as resolution 432 (1978) was adopted—the representative of a permanent Member State said the following:

> "By approving this proposal for Namibian independence, at one and the same time we vote for an independent Namibia and we take a step to strengthen the prestige of the United Nations and its ability to respond to critical problems wherever they arise." [*2082nd meeting, para. 25.*]

Since that time, however, the plan has remained a dead letter, and the authority and prestige of the Organization have been significantly eroded. Over the last year alone, the Council, as the competent United Nations body, has been seized of a succession of crises, often involving grave breaches of international peace and security, on which, sadly, it has been unable to act decisively.

127. In the report of the Secretary-General on the work of the Organization that he submitted to the General Assembly at its thirty-seventh session,[7] the Secretary-General attributed that state of affairs to the increasing disregard by Member States of the resolutions and decisions adopted by the competent organs of the United Nations. If this disturbing trend is to be reversed, the Security Council, as the supreme organ of the United Nations, must be prepared to enforce its resolutions, particularly those which concern Namibia, a Territory for which the United Nations is the sole legal Administering Authority. I take this opportunity to commend the energetic and relentless efforts of the Secretary-General aimed at an early and peaceful resolution of the problem.

128. There can be no retreat from the historic compromise achieved in resolution 435 (1978). To demand further concessions from SWAPO would be to heap insult upon the manifold injuries which the Namibian people have already endured for too long.

129. The PRESIDENT (*interpretation from French*): The next speaker is the acting Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, Mr. Raúl Roa Kouri. I invite him to take a place at the Council table and to make his statement.

130. Mr. ROA KOURI (*interpretation from Spanish*): On behalf of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, I thank the Council for giving me the opportunity to address it on the item now under consideration, the question of Namibia. However, we deeply regret the fact that this is necessary.

131. I should also like to express my satisfaction at seeing you presiding over the Council on this important occasion. I am sure that, once again, you will honour the commitment of the people and Government of Zaire to the right of colonial peoples to self-determination and independence.

132. In September 1978, when the Council met to adopt its resolution 435 (1978), the majority of the members of the international community harboured the justifiable hope that, within a year, the suffering people of Namibia would already be beginning to enjoy the fruits of their hard-won independence. In just four months, however, five years will have passed since that meeting without much real progress having been made. Instead of proceeding to hold free and fair elections under the supervision and control of the United Nations, in accordance with resolution 435 (1978), South Africa has made a mockery of the hopes of the international community, taking advantage of the situation to strengthen its military occupation of Namibia, stepping up its oppression of the Namibian people and increasing its acts of aggression against the front-line States and other neighbouring African countries. It can be no surprise to us, then, that the international community has lost what little faith it might once have had in South Africa's good intentions and now feels it necessary to reassess, promptly and thoroughly, the usefulness of the measures so far adopted to arrive at a solution.

133. I shall not take time today to mention where responsibilities lie, because everyone knows; neither does this seem the proper time for recriminations. Those responsible for the failure to achieve the results that we were told were imminent five years ago will be judged by history once the urgent task of obtaining South Africa's withdrawal from Namibia has been concluded.

134. The Special Committee has been considering the question of Namibia since its establishment in 1962. Since that time, the Committee has clearly understood that, in order to ensure the independence of the Territory as quickly as possible, urgent and positive action was required from the United Nations, specifically, the imposition of sanctions against South Africa. The Special Committee is still convinced that there will be no progress in the implementation of resolution 435 (1978) unless, at the same time, the coercive action provided for in the Charter of the United Nations is taken.

135. The Special Committee long ago rejected the reasoning of those who in the past have thwarted the action of the Council, alleging that South Africa would respond to reason rather than to force. In fact, it is now abundantly clear that South Africa has viewed the inaction of the Council as a blank cheque for delaying negotiations for obviously spurious reasons, reducing what was conceived as a serious, honest effort to achieve a balanced solution to a contemptible farce. It is also clear that only by bringing strong economic pressure to bear on South Africa can that country be forced to reconsider its current policy of defiance and scorn towards the international community.

136. The Special Committee has also categorically rejected all efforts to link the question of the implementation of resolution 435 (1978) to the withdrawal of foreign forces from Angola. Such efforts will not only delay the decolonization process but also represent brazen interference in the affairs of sovereign States. This point of view of the Special Committee has been broadly endorsed by the international community, as is clear not only from the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi in March of this year, but also from the recent International Conference in Support of the Struggle of the Namibian People for Independence, held in Paris in April.

137. By contrast with South Africa, in the five years since the adoption of resolution 435 (1978), SWAPO, the sole legitimate representative of the Namibian people, has demonstrated a praiseworthy willingness to facilitate the negotiating process and clear the way for the holding of free elections on the basis of universal suffrage. On more than one occasion, SWAPO has accepted suggestions from the contact group, even when it was not to its advantage. Only the fact that South Africa is not equally committed to reaching an agreement has prevented the aforementioned position of SWAPO from being properly rewarded.

138. I should like to avail myself of this opportunity to pay a tribute, on behalf of the Special Committee, to the front-line States, which have given outstanding and unswerving support to the efforts of the Namibian people to achieve their independence. The sufferings that they have borne and are continuing to bear for this just cause clearly reflect their commitment to peace, justice and the freedom of peoples. As has been repeatedly pointed out by the Special Committee, the Security Council must, in its discussions, bear in mind that time is running out. If resolution 435 (1978) is not implemented soon, South Africa will continue to consolidate its illegal occupation through internal elections or other procedures. With a view to preventing any procrastinatory manoeuvres and putting an end once and for all to the sacrifice and suffering of the Namibian people, the Council must take resolute action, including, in particular, the implementation of comprehensive sanctions.

139. As a corollary to that action, the international community must continue to give every possible assistance to the people of Namibia so that, under the leadership of SWAPO, they can continue to accelerate the decolonization process. In the considered opinion of the Special Committee, concerted action by all these forces could, even at this stage, prevent the situation in southern Africa from degenerating into a general state of war with unforeseeable consequences not only for Africa but for the entire world community.

140. In conclusion, wisdom suggests that the solution to the problem should rest with the Council and that the

role of the Secretary-General should be strengthened in order to carry out the provisions of resolution 435 (1978) as quickly as possible.

The meeting rose at 6 p.m.

NOTES

[1] *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970), Advisory Opinion, I.C.J. Reports 1971*, p. 16.

[2] *Official Records of the General Assembly, Thirty-seventh Session, Plenary Meetings*, 22nd meeting, para 135.

[3] A/CONF.120/8.

[4] *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24*, vol. I, annex II.

[5] A/CONF.120/3 and Corr.1 and 2, para. 30.

[6] See *Report of the International Conference in Support of the Struggle of the Namibian People for Independence, Paris, 25-29 April 1983* (A/CONF.120/13), part three.

[7] *Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 1.*

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